

FLORENCE T. NAKAKUNI #2286
United States Attorney
District of Hawaii

LESLIE E. OSBORNE, JR. #3740
Chief, Fraud & Financial Crimes Section

KENNETH M. SORENSON
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: ken.sorenson@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	CR. NO. 14-00010 HG
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	TRIAL DATE AND EXCLUDING TIME
vs.)	UNDER THE SPEEDY TRIAL ACT
)	
JENNIFER ANN MCTIGUE, (01)))	
MARC MELTON, (02)))	
SAKARA BLACKWELL, (03)))	
a/k/a: "Dawn Sakaguchi")	
)	
Defendants.)	
)	
)	
)	
)	

STIPULATION AND ORDER CONTINUING TRIAL DATE
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

A. The United States of America and the Defendants,

JENNIFER ANN MCTIGUE (01), MARC MELTON (02), and SAKARA

BLACKWELL aka "Dawn Sakaguchi" (03), through their respective attorneys, hereby agree and stipulate to continue the trial in this case and to exclude the time period from March 11, 2014, and the new trial date of October 30, 2014, from computation under the Speedy Trial Act. The reasons for the continuance are:

B. Counsel for defendants JENNIFER ANN MCTIGUE (01), MARC MELTON (02), and SAKARA BLACKWELL aka "Dawn Sakaguchi" (03) have jointly requested additional time from government counsel in order to afford them more adequate time to review the extensive discovery in the case, and prepare the case effectively, taking into account the exercise of due diligence. The case involves extensive discovery, which counsel has not had an opportunity to fully review or investigate, including extensive electronic evidence retrieved from computers and an internet service provider and extensive bank records. Counsel for the respective defendants require time to review said discovery, investigate defense strategy, investigate the necessity of retaining expert witnesses and properly prepare for trial. Counsel for the government and the defendants agree that due to the extensive nature of the materials involved in the prosecution, and the potential need for expert testimony

regarding the issues presented by this case, that the complexity of the nature of the prosecution mandates additional time for trial preparation.

C. Accordingly, the parties agree that the ends of justice served by the continuance outweigh the best interests of the Defendant and the public in a speedy trial, and [check all that apply, but per the statute 2 and 3 cannot both be checked]:

1. The failure to grant such a continuance would be likely

☐ to make a continuation of such proceeding impossible

☒ to result in a miscarriage of justice.

2. The case is so

☐ unusual

☐ complex

due to

☐ the number of defendants

☐ the nature of the prosecution

☐ the existence of novel questions of fact or

law

that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself

within the time limits established by the Speedy Trial Act.

3. The failure to grant the continuance would

___deny the defendants reasonable time to obtain counsel

___unreasonably deny the defendants continuity of counsel

___unreasonably deny the government continuity of counsel

x deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence

___deny counsel for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

D. The parties further agree that the period of time from March 11, 2014, to and including October 30, 2014, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must

//

//

//

commence pursuant to the Speedy Trial Act, 18 U.S.C.

§§ 3161(h)(7)(A) and (h)(7)(B)(i) & (iv).

DATED: February 10, 2014 at Honolulu, Hawaii.

FLORENCE T. NAKAKUNI
United States Attorney
District of Hawaii

By /s/ Kenneth M. Sorenson
KENNETH M. SORENSON
Assistant U.S. Attorney

/s/ Rustam Barbee
RUSTAM BARBEE, ESQ.
Attorney for Defendant
JENNIFER ANN MCTIGUE

/s/ Victor Bakke
VICTOR BAKKE, ESQ.
Attorney for Defendant
MARC MELTON

/s/ Louis Michael Ching
LOUIS MICHAEL CHING, ESQ.
Attorney for Defendant
SAKARA BLACKWELL

ORDER CONTINUING TRIAL AND EXCLUDING SPEEDY TRIAL ACT TIME

The above Stipulation Continuing Trial Date and Excluding Time Under the Speedy Trial Act is hereby approved, and the agreements set forth in paragraphs A, B, and C of the Stipulation are adopted as findings by the court. For the reasons stated, IT IS HEREBY ORDERED:

(1) the jury selection and trial are set for October 30, 2014;

(2) the final pretrial conference before District Judge Helen Gillmor is set for October 17, 2014 at 8:30 a.m.;

(3) the final pretrial conference before Magistrate Judge Kevin S.C. Chang is set for September 29, 2014 at 10:00 a.m.;

(4) defense motions are due on July 18, 2014, and the government's responses are due on August 1, 2014.

IT IS FURTHER ORDERED that the period of time from March 11, 2014, to and including October 30, 2014, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to

//

//

//

//

//

the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(i) & (iv).

DATED: February 12, 2014, at Honolulu, Hawaii.



A handwritten signature in black ink, appearing to read "Richard L. Puglisi".

Richard L. Puglisi
United States Magistrate Judge

USA v. JENNIFER ANN MCTIGUE, ET AL.

Cr. No. 14-00010 HG

"Stipulation and Order Continuing Trial Date and Excluding Time
under the Speedy Trial Act"